

REMARKS

Claims 1-33 remain in the prosecution, of which, claims 1 & 5-12 have been amended.

Objection to the Specification

The words “strong” and “work” on specification page 19, lines 3-4 were objected to by the Examiner. Applicant has amended the words “strong” and “work” to “string” and “word”, respectively, pursuant to the Examiner’s recommendation.

Rejections of the Claims

Rejections under 35 U.S.C. §112, Second Paragraph

Claims 5-12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim which “current target language translation” found in independent claim 1 that claims 5-12 are dependent upon. Applicant has amended claims 1 & 5-12 to recite “an initial current target language translation” and has amended claim 1 to also recite a “modified current target language translation.” Accordingly, dependent claims 5-12 are now definite within the meaning of 35 U.S.C. §112, second paragraph. The Examiner is therefore respectfully requested to withdraw the rejection of claims 5-12 under 35 U.S.C. §112, second paragraph.

Further, claim 6 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the basis or reference for “high” as recited within claim 6 with respect to the “probability” of having a zero-value fertility. Applicant has amended claim 6 to recite “substantial” with respect to the “probability” of having a zero-value fertility. Accordingly, dependent claim 6 is now definite within the meaning of 35 U.S.C. §112, second paragraph. The Examiner is therefore respectfully requested to withdraw the rejection of claim 6 under 35 U.S.C. §112, second paragraph.

Rejections under 35 U.S.C. §102(e)

In the Office Action, claims 1-5, 8-11, 15, 18-21, 25-31 and 33 were rejected under 35 U.S.C. §102(e) as being anticipated by Chanod et al. (US 6,393,389 or “Chanod”). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or

inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent Claims 1, 15, & 27 and their respective associated dependent claims recite receiving as input a text segment in a source language to be translated into a target language. Chanod does not teach the element, either expressly or inherently, of receiving as input a text segment in a source language to be translated into a target language, and therefore does not anticipate claim independent claims 1, 15, & 27 and their respective associated dependent claims.

Instead of receiving a text segment, Chanod teaches receiving as input “multi-token expressions” that are “sentences and other expressions whose meaning depends on relationships between two or more groups of tokens” (Figure 1 item 10; Column 2 lines 23-25). The “multi-token expression” found in Chanod does not anticipate Applicant’s “text segment.”

“Multi-token expressions” are produced after “[p]reprocessing routines” are performed in Chanod (Column 10 line 20). “Preprocessing routines [] can ... include a language guessing routine that guesses the language of the input text” (Column 10 lines 20-21). After the “preprocessing routines” are performed, Chanod produces “multi-token expressions” by a process called “tokenization” (Column 10 line 42). Tokenization “segment[s] a string of character codes from input text [] into tokens that represent minimal linguistic units” (Column 10 lines 40-45). Further, Chanod teaches that “a sentence might lead to more than one tokenization” (Column 10 line 55). Consequently, Chanod does not teach receiving as input a text segment in a source language to be translated into a target language.

Independent Claims 1, 15, & 27 and their respective associated dependent claims recite the generation of an initial translation as an initial current target language translation. Chanod does not teach the element, either expressly or inherently, of the generation of an initial translation as an initial current target language translation, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

Instead of generating a translation, Chanod teaches breaking the “multi-token expressions” into further units called “subexpressions” (Figure 1 items 10 & 12; Column 7 line 66 to Column 8 line 1). Chanod defines a “subexpression” as “an expression that is part of another expression” in the same input language as the inputted “multi-token expression” (Column 7 lines 12-15).

Chanod then performs a series of additional steps on the “subexpressions.” Chanod first generates a series of translations for each subexpression (Figure 1 items 14, 16 & 20). Chanod then takes “appropriately chosen translations of [the] subexpressions ... without attempting a complete, accurate translation of the multi-token expression” (Column 3 lines 5-8; Figure 2 items 50, 52, 54, 56 and 58). The translation is not a word-for-word initial translation in Chanod, but rather the result of intricate steps that divide the inputted multi-token expressions into further units or subexpressions before generating multiple translations of each subexpression. Consequently, Chanod does not teach the generation of an initial translation as an initial current target language translation.

Independent Claims 1, 15, & 27 and their respective associated dependent claims recite applying one or more modification operators to the initial current target language translation to generate one or more modified target language translations. Chanod does not teach the element, either expressly or inherently, of applying one or more modification operators to the initial current target language translation to generate one or more modified target language translations, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

Because the translation in Chanod is the result of intricate steps that divide the inputted multi-token expressions into further units or subexpressions before generating multiple translations of each subexpression, without attempting a complete translation of the multi-token expression, Chanod lacks an initial current target language translation (or the equivalent) in which to apply one or more modification operators. (See Column 3 lines 5-8; Figure 2 items 50, 52, 54, 56 and 58). Consequently, Chanod inherently cannot teach or suggest the element of

applying one or more modification operators to the initial current target language translation to generate one or more modified target language translations.

Independent Claims 1, 15, & 27 and their respective associated dependent claims recite determining whether one or more of the modified target language translations represents an improved translation in comparison with the initial current target language translation. Chanod does not teach the element, either expressly or inherently, determining whether one or more of the modified target language translations represents an improved translation in comparison with the initial current target language translation, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

In light of the fact that Chanod lacks an initial current target language translation (or the equivalent) in which to apply one or more modification operators (Column 3 lines 5-8; Figure 2 items 50, 52, 54, 56 and 58), Chanod lacks a required element in which to draw a comparison. Thus, Chanod inherently cannot teach determining whether one or more of the modified target language translations represents an improved translation in comparison with the initial current target language translation. Consequently, Chanod can not teach the element of determining whether one or more of the modified target language translations represents an improved translation in comparison with the initial current target language translation, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

Independent Claims 1, 15, & 27 and their respective associated dependent claims recite the setting of a modified target language translation as the modified current target language translation. Chanod does not teach the element, either expressly or inherently, the setting of a modified target language translation as the modified current target language translation, and therefore does not anticipate independent claims 1, 15, & 27 and their respective associated dependent claims.

Since Chanod lacks an initial current target language translation (or the equivalent), Chanod cannot generate a modified target language translation (or the equivalent). Therefore, Chanod lacks the required elements in which to make a comparison. Because Chanod cannot

make a comparison, Chanod cannot use the result of the comparison in which to set a modified target language translation. Indeed, Chanod only teaches ranking or comparing translated subexpressions (for the same multi-token expression) to each other (Figure 2 item 54). Consequently, Chanod inherently cannot teach the setting of a modified target language translation as the modified current target language translation.

Since Chanod does not expressly or inherently teach the elements set forth in Applicant's independent claims 1, 15, & 27, Chanod does not anticipate Applicant's dependent claims 2-5, 8-11, 18-21, 25-26, 28-31 and 33. Applicant therefore respectfully requests that the Examiner withdraw the rejection of claims 1-5, 8-11, 15, 18-21, 25-31 and 33 under 35 U.S.C. § 102(e).

As per claim 5, where the Examiner argues that Chanod's "selections are inherently the current target language translation as it is current in translation once translated" (Office Action at p. 4), this argument is quashed by the recital in the amended claims of the element of setting a modified target language translation as the modified current target language translation.

Rejections under 35 U.S.C. §103(a)

Dependent claims 6, 7, 12-14, 16, 17 22-24 and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Chanod in view of Berger (US 6,304,841 or "Berger"), which purportedly properly incorporates Brown et. al (US 5,477,451 or "Brown").

Pursuant to MPEP §2143.03, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art. If an independent claim is nonobvious under 35 U.S.C. 103(a), then any claim depending therefrom is nonobvious." (Internal citations omitted). Because Chanod does not teach any of the elements of Applicant's independent claims 1, 15, & 27, the Examiner respectfully has failed to satisfy this burden.

The Examiner's rejections of dependent claims 6-7, 12-14, 16-17, 22 and 32 under 35 U.S.C. §103(a) are based on Chanod. For the reasons discussed herein, Chanod does not teach

any of the elements of Applicant's independent claims 1, 15, & 27. Accordingly, the Examiner has not established a prima facie case of obviousness, because the Examiner has not shown that all the claim limitations have been taught or suggested by the prior art, namely Chanod.

As per the Examiner's rejection of claim 22 under 35 U.S.C. §103(a), claim 22 ultimately depends from Applicant's independent claim 15. The Examiner has not challenged Applicant's independent claims 1, 15, & 27 on the grounds of 35 U.S.C. 103(a). Therefore, these claims are presumed to be nonobvious under 35 U.S.C. 103(a) and any claims that depend from Applicant's independent claims 1, 15, & 27 are also presumed to be nonobvious. This includes Applicant's claim 22.

Even if claims 1, 15, & 27 were to be rejected under 35 U.S.C. §103(a), Applicant disagrees that one of ordinary skill in the art at the time the invention was made would have been motivated to modify Chanod in view of Berger or Brown. Per MPEP §2143.01, "...it is necessary to ascertain whether or not the reference teachings would appear to be sufficient for one of ordinary skill in the relevant art having the reference before him to make the proposed substitution, combination, or other modification." In re Linter, 458 F.2d 1013, 1016, 173 USPQ 560, 562 (CCPA 1972). One of ordinary skill in the art having Chanod before them would not be motivated to combine Berger or Brown to make the Examiner's proposed modifications. The burden is on the Examiner to provide some proposed substitution or other modification, and then provide a motivation that would explain why one of ordinary skill in the art at the time the invention was made would have made that particular proposed substitution or modification. The Examiner respectfully has failed to satisfy this burden.

There is therefore no basis to support a rejection of any of Applicant's claims under 35 U.S.C. §103(a). The Examiner is therefore respectfully requested to withdraw the rejection of Applicant's dependent claims 6, 7, 12-14, 16, 17, 22-24 and 32 under 35 U.S.C. §103(a).

CONCLUSION

Based on the foregoing remarks, Applicant believes the application is in condition for allowance. If the Examiner has any questions regarding the case, the Examiner is invited to contact Applicant's undersigned representative.

Respectfully submitted,

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